

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare Department - Mahabubnagar District – Dharoor Village and Mandal – Land Acquired to an extent of Acs.13.56 Cts in Sy.No.640/2 & 641/2, for providing house sites to the Weaker Section People – Sanction of Rs.16,45,159/- towards balance decretal charges, as per orders dated 23.02.2005 of the Hon'ble High Court of A.P., in OP.No 161/88 – Orders - Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 35

Dated: 13.01.2012

Read the following:-

1. From the District Collector, Mahabubnagar Lr.Rc.No.G2/55/2010, dated 07.01.2011.
2. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.No.LA2/316/2011, dated 20.01.2011..
3. From the Spl CS to Govt & CCLA, A.P., Hyderabad Lr.No.G1/383/2011, dated 25.5.2011.

O R D E R:

In the reference 3rd read above, the Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad has stated that the LAO/MRO, Dharoor has acquired land to an extent of Ac.13.56 Cts in Sy.Nos 640/2 & 641/2, passed award No.B/44/87, dated 31.12.1987, duly fixing the market value @ Rs.3,500/- per acre for an extent of Ac.10.98 Cts and Rs.4,000/- per acre for an extent of Ac.2.58 Cts. The land holders received the compensation under protest on account of which the LAO referred the matter to Civil Court U/s 18 of LA Act. The reference was numbered as OP.No.161/88 in Court of Subordinate Judge, Gadwal and the OP was disposed off on 06.02.1995 fixing the market value as Rs.42,187-50Paise per acre. The LAO filed an appeal in the Hon'ble High Court, against the judgment of lower court and the Hon'ble High Court remanded the matter to lower court. The Sr. Civil Judge, Gadwal disposed the OP fixing the market value as Rs.7,000/- per acre. The land holders filed appeal against the orders of the Lower Court. The Hon'ble High Court of AP., has disposed the appeal on 23.02.2005 fixing the market value as Rs.30,000/- per acre. The LAO has filed the SLP in the Hon'ble Supreme Court of India against the orders passed by the Hon'ble High Court of AP. The SLP was disposed on 16.9.2010 confirming the orders of High Court of A.P., The Dist Collector, Mahabubnagar has submitted proposals for sanction of Rs.16,48,871/- towards payment of decretal charges in OP.No.161/88 for the land acquired to an extent of Ac.13.56 Cts in Sy.Nos.640/2 & 641/2, situated at Dharoor Village & Mandal for providing house sites to the weaker section people.

2 The Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad after verification and scrutiny of the calculation sheet submitted by the Dist Collector Mahabubnagar/Commissioner of Social Welfare, A.P., Hyderabad has sent comparative calculation sheet for Rs.16,45,159/- towards payment of decretal charges in OP.No.161/88 for the land acquired to an extent of Ac.13.56 Cts in Sy.Nos 640/2 & 641/2, situated at Dharoor Village & Mandal for providing house sites to the weaker section people. He has further stated that the Commissioner of Legal Affairs has opined that even Civil Appeal No.2109/2007 filed against the Judgment dated 23.02.2005 in First Appeal No.2312/2000 is dismissed by the Hon'ble Supreme Court of India, and advised to process the file subject to correct calculation and after obtaining the Non-drawal Certificate in OP.No.161/88 in WP.No.11252/2011 relating to Dharoor Village & Mandal of Mahabubnagar District.

PTO

3. After careful examination of the entire matter, and after obtaining the Non Drawal Certificate in OP.No.161/88 Government hereby accord sanction to the Commissioner of Social Welfare, A.P., Hyderabad to release an amount of Rs.16,45,159/- (Rupees Sixteen Lakhs Forty Five Thousand One Hundred and Fifty Nine only) to the District Collector, Mahabubnagar, towards payment of balance decretal charges, as per orders dated 23.02.2005 of the Hon'ble High Court of A.P., in First Appeal No.2312/2000 and orders of the Supreme Court of India in Civil Appeal No. 2109/2007, dated 16.9.2010 in OP. No 161/88 as reported by the District Collector, Mahabubnagar/Commissioner of Social Welfare, A.P., Hyderabad in respect of the land acquired to an extent of Ac.13.56 Cts in Sy.Nos640/2 & 641/2, situated at Dharoor Village & Mandal of Mahabubnagar District for providing house sites to the weaker section people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the BE.2011-12 and debited to the following Head of Account.

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grants – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary proceedings to the District Collector, Mahabubnagar accordingly.

6. The District Collector, Mahabubnagar shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide in U.O Note No.12869/196/A1/Esp.SW/2009 dated 22.5.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Chief Commissioner of Land Administration, A.P., Hyderabad.

The Commissioner of Social Welfare, A.P., Hyderabad,

The District Collector, Mahabubnagar.

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,

The Accountant General, A.P., Hyderabad,

The District Treasury Officer, Mahabubnagar District.

Finance (Exp.SW/BG) Department

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER